

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 11, 2008 has been entered.

Claims 1-139 and 187-229 have been withdrawn from further consideration.

Claim 140 has been amended.

Claims 140-186 are examined below.

Response to Amendment

2. The amendment to claim 140 is acknowledged.

Response to Arguments

3. Applicant's arguments are based on the newly added limitations. The arguments are moot in view of the updated rejections, which have been necessitated by the amendments.

Claim Objections

4. Claim 140 is objected to because of the following informalities: The newly added amendment recites, "as least in part." It appears that Applicant intended the limitation to recite, "at least in part." Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 140-186 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fox et al. (U.S. 5,491,629).

As per claim 140, Fox et al. discloses a method implemented on a computer system via a plurality of software modules for managing a workflow process, the method assisting a user with procurement decisions, sourcing decisions and strategic sourcing decisions in an enterprise regarding one or a plurality of items, and comprising the steps of:

discovering, via one or more of the software modules, internal and external data related to at least one item based on user-defined parameters, wherein the discovered internal and external data is extracted from a plurality of data sources internal and external to the enterprise (col. 6, lines 10-19 and 33-40; Figure 5; A computer system uses internal and external data to determine an impact on the retail industry. The

internal and external data is used to revise a managerial plan (i.e., make strategic decisions).);

storing the discovered internal and external data in a data mart (item 120 in Figure 1);

identifying, via one or more of the software modules, one or more conditions related to the at least one item or related to procurement, sourcing, and strategic sourcing in the enterprise of the at least one item (col. 11, lines 51-58; col. 14, lines 52-63; A correlation processor is used to identify conditions (i.e., change in weather, sales, etc.) associated with deweatherized data. The conditions are deviations from the baseline that is created, where the deviations are used to revise the managerial plan.);

analyzing, via one or more of the software modules, the discovered internal and external data, wherein an assessment is made of the impact or potential impact of the discovered internal and external data on procurement decisions, sourcing decisions and strategic sourcing decisions in the enterprise with respect to the at least one item (col. 12, lines 1-9; col. 14, lines 53-56; Analysis of the potential impact is made.);

recommending to the user, via one or more of the software modules, one or more proposed actions with respect to the procurement, sourcing or strategic sourcing of the at least one item on behalf of the enterprise based on the analysis of the discovered internal and external data (col. 8, lines 25-37; col. 18, lines 60-67; Figure 7; A revised managerial plan is generated in response to the analysis of the potential impact, where the revised managerial plan includes new/alterd (i.e., recommended) actions to the original managerial plan. Examples of a managerial plan are product buying, product

distribution and labor scheduling. Applicant admits that Fox et al. discloses recommending one or more new/alterd managerial plans on page 43 of the Remarks filed April 11, 2008.); and

providing to the user, via one or more of the software modules, one or more computers-initiated options for fully or partially executing an action in the one or more proposed actions (col. 10, line 56-col. 11, line 4; Figure 6; The workstation may be used to execute different portions of the managerial plan such as the buying, distributing or advertising.).

Fox et al. does not expressly disclose if at least one of the one or more conditions is satisfied, generating, via one or more of the software modules, at least one alert for the user. Examiner takes Official Notice that it is old and well known in workflow management processes to alert users of certain conditions in order to make the user aware of certain conditions happening during a workflow process so that the user can take certain actions at that time if necessary. It would have been obvious at the time of the invention to a person of ordinary skill in the art to modify Fox et al. to alert a user of a satisfied condition so that the user is made aware of a certain threshold being crossed and is able to take certain actions regarding the condition, if necessary, thereby providing the user with instant feedback regarding the status of things.

Fox et al. does not expressly disclose wherein the assessment is based, at least in part, on one or more user-defined parameters that qualify the internal or external data. However, Fox et al. does disclose identifying how products are impacted by weather (cold weather versus hot weather), the degree of impact and the most

favorable timing for advertising campaigns (col. 6, lines 51-58). In order for the weather impact model to be able to identify the degree of impact and the most favorable timing for advertising campaigns, user-defined parameters must be utilized, as the weather impact model itself would not know how to identify favorable or unfavorable degrees (i.e., thresholds) without a user specifying such degrees within the model. Thus, Examiner takes Official Notice that it is old and well known in the art of weather modeling for users to define parameters for the model to use in order to assess data effectively. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Fox et al. to assess impact based, at least in part, on one or more user-defined parameters that qualify the internal or external data because the weather impact model needs user-defined parameters (like thresholds for favorable and unfavorable degrees of impact) in order to function properly and provide the user with helpful data and analyses.

As per claim 141, Fox et al. discloses the method of claim 140, wherein the discovered internal and external data stored in the data mart is organized for querying and report generation, and represented to the user in a plurality of formats (col. 6, lines 47-50; col. 8, lines 15-20; The data from the internal and external sources is queried and used to generate deweatherized managerial plans, which are provided via graphical reports.).

As per claim 142, Fox et al. discloses the method of claim 140, further comprising the step of producing, via one or more of the software modules, one or more reports based on the analysis of the discovered internal and external data, wherein the

one or more reports provide the user with information regarding the impact or potential impact of the discovered internal and external data on procurement decisions, sourcing decisions and strategic sourcing decisions in the enterprise with respect to the at least one item, wherein the reports include information represented and/or displayed in graphical formats (col. 6, lines 47-50; col. 7, lines 11-14).

As per claim 143, Fox et al. discloses the method of claim 142, wherein the graphical formats of the information include tables, charts, graphs, and/or maps (col. 6, lines 47-50; col. 7, lines 11-14).

As per claim 144, Fox et al. discloses the method of claim 140, further comprising the step of producing, via one or more of the software modules, one or more reports based on the analysis of the discovered internal and external data, wherein the one or more reports provide the user with information regarding the impact or potential impact of the discovered internal and external data on procurement decisions, sourcing decisions and strategic sourcing decisions in the enterprise with respect to the at least one item, wherein the reports include information represented and/or displayed in non-graphical formats (col. 6, lines 47-50; The predictive model showing the weather impact is provided via a report, or non-graphical format.).

As per claim 145, Fox et al. discloses the method of claim 144, wherein the non-graphical formats of the information include news bulletins, alert boxes, and audio messages (col. 6, lines 47-50; The predictive model showing the weather impact is provided via a report, or non-graphical format.).

As per claim 146, Fox et al. discloses the method of claim 140, wherein functionalities of the workflow process are accessed by the user through one or more software modules with a user interface (col. 6, lines 47-50).

As per claim 147, Fox et al. discloses the method of claim 146, wherein the user may select one or more software modules and enter the workflow process at any point in the process, wherein the user may have control of the functionalities of the workflow process (col. 8, lines 25-37; The user may modify the managerial plan, which is a workflow process.).

As per claim 148, Fox et al. discloses the method of claim 146, wherein the user may select one or more software modules to follow the workflow process, wherein the user is guided through the functionalities of the workflow process (col. 8, lines 25-37; The user may modify the managerial plan, which is a workflow process. In accessing the managerial plan, the user has access to the functionalities of the workflow process.).

As per claim 150, Fox et al. discloses the method of claim 140, wherein the step of discovering internal and external data assists the user in identifying parameters for criteria relevant to procurement decisions, sourcing decisions and strategic sourcing in an enterprise regarding one or a plurality of items (col. 8, lines 52-64; col. 9, lines 3-25; Parameters, such as leadtimes, are used as relevant criteria to the decision making related to the managerial plan.).

Claims 149 and 151-186 recite limitations similar to those already rejected above. Therefore, claims 149 and 151-186 are rejected on the same basis as claims 140-148 and 150 above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Barnes et al. (U.S. 5,970,475) discusses an electronic procurement system; and
- King, Jr. et al. (U.S. 5,319,542) discusses ordering items via an electronic catalog.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Van Doren, can be reached at 571-272-6737.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/C. Michelle Tarae/
Primary Examiner, Art Unit 3623

June 17, 2008